#### **VIRGINIA DEPARTMENT OF EDUCATION**

## PRIVATE DAY SCHOOL FOR STUDENTS WITH DISABILITIES APPLICATION FOR A LICENSE TO OPERATE 8 VAC 20-670-80

| I. GENERAL INFORMATIC                                    | <u>N</u>                            |                              |                                   |  |
|--|-------------------------------------|------------------------------|-----------------------------------|--|
| School Name  |                                     | Phone No.                    |                                   |  |
| Address  |                                     |                              |                                   |  |
| City/State   |                                     | Z                            | ip Code                           |  |
| Contact Person   |                                     | Title                        |                                   |  |
| Ownership:   | Sole Proprietorship Other (specify) | Partnership                  |                                   |  |
| If the ownership is in the fo                            | orm of a sole proprietorship,       | give the name and home a     | ddress of the proprietor(s):      |  |
|  |                                     |                              |                                   |  |
| If the ownership is in the formembers and officers below |                                     | oration, list the name and a | ddress of the entity and list all |  |
| Partnership/Corporation Na                               | me                                  |                              |                                   |  |
| Partnership/Corporation Ad                               | dress                               |                              |                                   |  |
| City, State, and Zip Code                                |                                     |                              |                                   |  |
| Member/Officers/Director II                              | nformation                          |                              |                                   |  |
| Name   | Home Address                        | Home Phone                   | Position                          |  |
|  |                                     |                              |                                   |  |
|  |                                     |                              |                                   |  |
|  |                                     |                              |                                   |  |
|  |                                     |                              |                                   |  |
|  |                                     |                              |                                   |  |
|  |                                     |                              |                                   |  |
|  |                                     |                              |                                   |  |
|  |                                     |                              |                                   |  |

| Operating Status:  | For Profit                            |                  | Non-profit                           |
|--|---------------------------------------|------------------|--------------------------------------|
| Ooes the owner currently operate other   | schools?                              | Yes              | No                                   |
| st other schools operated below:   |                                       |                  |                                      |
| oes the owner plan to operate other pracility where the school is to be housed       |                                       |                  |                                      |
| as the owner ever been denied authoricate?  Yes  rojected enrollment for coming year | · · · · · · · · · · · · · · · · · · · | a private specia | al education day school in any other |
|  | -                                     | _                |                                      |
| rojected student/teacher ratio   |                                       | _                |                                      |
| argest enrollment last year (if applicabl  | e)                                    | _                |                                      |
| Anticipated opening date   |                                       | <u> </u>         |                                      |
| PART II – INSTRUCTIONAL PROGRA   |                                       | the school       |                                      |
| Autism   |                                       | D                | eaf-Blindness                        |
| Deafness   |                                       | Pr               | re-School Handicapped                |
| Developmentally  | Delayed                               | M                | ultiple Disabilities                 |
| Emotional Distur   | oance                                 | 0                | rthopedic Impairment                 |
| Hearing Impairm  | ent                                   | S <sub>I</sub>   | pecific Learning Disability          |
| Other Health Imp   | pairment                              | Se               | evere Disability                     |
| Speech or Langu  | age Impairment                        | Vi               | sual Impairment including blindness  |
| Mental Retardation   | on                                    | Tı               | aumatic Brain Injury                 |
| Age range to be served by the sch  | nool                                  |                  |                                      |
| One de levele ('6 en all'enha) te leve   |                                       |                  |                                      |
| Grade levels (if applicable) to be s   | erved                                 |                  |                                      |

#### PART III - STAFF

Provide staff information as indicated below.

| Λ. | A discribed a formation | D I       |
|----|-------------------------|-----------|
| Α. | Administrative          | Personnel |

| Name | Position/Title | Degree/<br>Major Field | Area(s) of Licensure |
|------|----------------|------------------------|----------------------|
|      |                |                        |                      |
|      |                |                        |                      |
|      |                |                        |                      |
|      |                |                        |                      |
|      |                |                        |                      |

B. Educational Personnel that provide direct instructional services (teachers, instructors, etc.) with at least a four year degree. Keep documentation or certification on file.

| Name | Position/Title | Degree/<br>Major Field | Area(s) of Special<br>Education Endorsement |
|------|----------------|------------------------|---|
|      |                |                        |   |
|      |                |                        |   |
|      |                |                        |   |
|      |                |                        |   |
|      |                |                        |   |

C. Related Services Personnel employed by school or through contract (speech-language specialists, social workers, psychologists, physical therapists, occupational therapists, etc.). Keep documentation of certification or licensure on file.

| Name | Degree/ Major Field | Certification or Licensure<br>(list agency) |
|------|---------------------|---|
|      |                     |   |
|      |                     |   |
|      |                     |   |
|      |                     |   |
|      |                     |   |

D. Other Ancillary Staff (include paraprofessionals, technicians, bus drivers, cooks, etc.)

| Name | Position/Title | Education |
|------|----------------|-----------|
|      |                |           |
|      |                |           |
|      |                |           |
|      |                |           |
|      |                |           |

#### PART IV - ACCOMPANYING DOCUMENTS

#### This application shall be verified and accompanied by the following items.

- Evidence of compliance with applicable State Corporation Commission regulations when the school is owned by a partnership or corporation.
- 2 Curriculum information. (See Guidelines for Submitting Curriculum Information)
- A scale drawing or copy of the floor plan including room use and dimensions.
- A certificate of occupancy or other report(s) from the appropriate government agency(ies) indicating that the location or locations meet applicable fire safety, building code, and sanitation requirements.
- A copy of the deed, lease, or other legal instruments authorizing the school to occupy such locations.
- A proposed budget, a three-year financial plan, and documentation of sufficient operating capital to carry the school through its first year including proof of a guaranty instrument described in #11 below.
- 10. A copy of the student enrollment agreement, a current schedule of tuition and other fees, copies of all other forms used to keep student records, and the procedure for collecting and refunding tuition.
- A surety bond, irrevocable letter of credit or certificate of deposit as required by Section 8 VAC
   20-670-320.
- 12. Copies of all proposed advertising.
- 13. A handbook describing the school's programs and policies with provided checklist.
- 14. A written statement of the school's purpose, philosophy, and objectives. 8 VAC 20-670-100.
- 15. A clearly written admission's policy. 8 VAC 20-670-280 C.
- 16. A statement regarding the proposed pupil-teacher ratios to be maintained by the school. 8 VAC 20-670-110 C 12.
- 17. The name and qualification of the person responsible for the administration of the school. This person shall meet the requirements of 8 VAC 20-670-190 A of the regulations. Please attach copies of appropriate credentials.

- The name and qualification of the person responsible for the day-to-day operation of the school.
  This person shall meet the requirements of 8 VAC 20-670-190 B of the regulations. Please attach copies of the appropriate credentials.
- 19. The names and qualifications of teachers that the school may employ. Please attach copies of current licenses. 8 VAC 20-670-200.
- 20. The names and qualifications of audiologists or speech therapists that the school may employ.
  Attach copies of appropriate credentials. 8 VAC 20-670-210 B.
- 21. The name and qualification of any psychologist the school may employ. Attach copies of appropriate credentials. 8 VAC 20-670-210 C.
- The names and qualification of any paraprofessionals the school may employ. 8 VAC 20-670-210D.
- 23. The names and qualifications of all librarians, guidance counselors, social workers, and medical personnel that the school may employ. Attach copies of appropriate credentials. 8 VAC 20-670-210 E.
- 24. The names and qualifications of all medical personnel that the school may employ. Attach copies of appropriate credentials. 8 VAC 20-670-210 F.
- 25. If the school serves meals, the name and qualifications of the dietician overseeing the program. 8 VAC 20-670-150 G.
- 26. A list of the names of all drivers of vehicles transporting students to and from school as well as to school-related activities. Please provide copies of the appropriate Virginia driver's licenses for each driver. 8 VAC 20-670-160 A.
- 27. Provide evidence of liability insurance to protect those students transported to and from the school. 8 VAC 20-670-160 B.
- 28. If the school contracts for therapeutic services through a private concern, attach a copy of the contractual agreement outlining the provisions of delivery for said services.
- 29. A copy of the policy regarding the supervision of volunteers and interns or students who may be receiving professional training at the school. 8 VAC 20-670-190 G.
- 30. Copies of the forms for the Individualized Program Plan (IPP) to be used by the school. (IEP should be on forms from the placing school division.) 8 VAC 20-670-110 C 1.

- 31. A copy of the school's policies and procedures governing behavior management programs. 8 VAC 20-670-130.
- 32. A copy of the school's policy governing personnel development and inservice training for all staff.8 VAC 20-670-110 C 8.
- 33. A copy of the school's policy governing the use of testing and evaluation materials 8 VAC 20-670-110 C 4.
- 34. A copy of the school's policy governing a plan for and documentation of contact with parents, guardians, and local school division personnel. 8 VAC 20-670-110 C.
- 35. The school's policy regarding the maintenance of or access to an adequately equipped library or resource materials available on site. 8 VAC 20-670-140 B.
- 36. A list of the reference materials available to address the pre-academic, academic, and career education levels of the students. 8 VAC 20-670-140 B.
- 37. A statement regarding provisions for health for both staff and students of the school. 8 VAC 20-670-150.
- 38. Evidence that school-owned vehicles used for the purpose of transporting students to and from school and school-related activities meet federal and state standards and are maintained in accordance with acceptable state and federal laws. 8 VAC 20-670-160 C.
- 39. A notarized certificate of compliance form.

My Commission expires

#### CERTIFICATE OF COMPLIANCE

#### **Private Day Schools for Students with Disabilities**

| ۱, _ | The authorized official of (Name of School)  |
|------|--|
|      | tify that I have presented true statements throughout this application to the best of my knowledge and belief. Ve) the owner(s) of the school agree:   |
| 1.   | To conduct the school in an ethical manner and in accordance with the provisions of Title 22.1-319 through 22.1-335 of the Code and all applicable regulations which may from time to time be established by the Board;  |
| 2.   | To permit the Board or Department of inspect the school or classes being conducted herein at any time and to make available to the Board or Department, when requested to do so, all information pertaining to the activities of the school and its financial condition;   |
| 3.   | To advertise the school at all times in a form and manner that is free from misrepresentation, deception, or fraud and that conforms to the regulations of the Board governing advertising;  |
| 4.   | To see that all representations made by anyone authorized by the school to act as an agent or solicitor for prospective students shall be free from misrepresentation, deception, or fraud and shall conform to regulations of the Board governing such representations;   |
| 5.   | To display prominently the current License to Operate where it may be inspected by students, visitors, and the Board or Department;  |
| 6.   | To maintain all premises, equipment, and facilities of the school in an accessible, barrier-free, safe, and clean condition;   |
| 7.   | To submit to the Department, in the event a school should close with students enrolled a written plan detailing the process of closure including a description of the provisions made for the students to complete the academic year, copies of notice of intended closure, provisions for transfer of records and notification of financial obligation; |
| 8.   | To maintain current, complete, and accurate student records which shall be accessible at all times to the Board or its authorized representatives. These records shall include all components required by applicable regulations of the Board;   |
| 9.   | To conduct the school in accordance with outlines submitted to and approved by the Department; and   |
| 10.  | To publish and adhere to policies which conform to all state and federal laws and regulations barring discrimination on the basis of race, religion, sex, national origin, or handicapping condition in all school operations.   |
|      |  |
|      | Date Signature of Authorized Official  |
|      | Title  |
|      | Sworn to and Subscribed before me this day of 20   |

Notary Public

# DEPARTMENT OF EDUCATION PRIVATE DAY SCHOOLS FOR STUDENTS WITH DISABILITIES P. O. BOX 2120 RICHMOND, VA 23218-2120

#### PARENT/STUDENT HANDBOOK CHECKLIST

| School Name           |  |  |
|-----------------------|--|--|
|                       |  |  |
| City, State, Zip Code |  |  |

**INSTRUCTIONS**: A prospective student's parents are entitled to sufficient data to make a rational choice of training opportunities and schools. A school is, therefore, obligated to provide sufficiently detailed data in advance of enrollment to assure that prospective student's parents clearly understand their opportunities, limitations, and obligations.

Before an applicant signs an enrollment agreement, a school should provide the applicant with a publication that is identifiable as a handbook. The handbook is designed, written, printed, and bound to convey an accurate and dignified impression of the school. It avoids false, misleading, or exaggerated statements. Illustrations and copy pertain directly to the school and sources of illustrations are clearly identifiable.

This document serves as a detailed index to aid reviewers in finding specified portions in the handbook.

A copy of this checklist is to accompany each handbook sent to the Department. The checklist is marked to show page numbers (or references to specific covers or supplements) on which each required item is included.

The handbook of a school must include the following items. If any item is not included, the catalog should refer to the supplement that contains the item.

| Item<br>No. | Required Items  | Handbook Page<br>Numbers |
|-------------|---|--------------------------|
|             |   |                          |
| 1.          | Title of Publication  |                          |
| 2.          | Name and address of the school  |                          |
| 3.          | Date of publication (mo/yr)   |                          |
| 4.          | A statement of institutional philosophy   |                          |
| 5.          | A statement of history of the institution   |                          |
| 6.          | The admission requirements  |                          |
| 7.          | The admission procedures  |                          |
| 8.          | The educational objective of each program, including the name, nature, and level for which training is provided |                          |
| 9.          | A description the school's general physical facilities and equipment  |                          |
| 10.         | Number of students in a typical class (student to teacher ratio including aides)                                |                          |
| 11.         | Satisfactory progress policy  |                          |
| 12.         | The school's grading system   |                          |
| 13.         | Policy regarding development of Individualized Education Program (IEPs)   |                          |

| 10/04<br>Item<br>No. | Required Items  for students placed by local school divisions and Individualized Program Plans for students unilaterally placed by their parents                               | page 2 <b>Handbook Page Numbers</b> |
|----------------------|--|-------------------------------------|
| 14.                  | Policy regarding management of student records   |                                     |
| 15.                  | Policy regarding contact with local school divisions for publicly placed students  |                                     |
| 16.                  | Policy regarding administration of Statewide Assessment Testing  |                                     |
| 17.                  | Policies related to the school's program for behavior management and modification including the use of restraints, timeout, or seclusion                                       |                                     |
| 18.                  | Policy requiring that a report of physical examination by a physician and a current record of immunization is in each student's record   |                                     |
| 19.                  | Policy related to lunch and snacks   |                                     |
| 20.                  | Policy regarding medication management for students  |                                     |
| 21.                  | Policy regarding transportation of students  |                                     |
| 22.                  | Policy relating to tardiness   |                                     |
| 23.                  | Policy relating to attendance  |                                     |
| 24.                  | Policy relating to make-up work  |                                     |
| 25.                  | Policy relating to conduct   |                                     |
| 26.                  | Policy relating to termination   |                                     |
| 27.                  | The required levels of performance for graduation  |                                     |
| 28.                  | Type of document (certificate of completion, modified diploma, standard diploma, and/or advanced diploma) awarded upon graduation  |                                     |
| 29.                  | Tuition and other student charges related to the enrollment, such as deposits, fees, books, supplies, equipment, and any other "extras" for which a student may be responsible |                                     |
| 30.                  | The Minimum Cancellation and Settlement Policy of the school   |                                     |

Schools should refer to the regulations governing advertising and publications to ensure that the handbook meets the requirements of those regulations prior to submitting it to the Department.

A calendar for the school year including beginning and ending dates of

31.

32.

33.

school and holidays, etc.

Statement of policy on non-discrimination

Complaint resolution procedures

## COMMONWEALTH OF VIRGINIA DEPARTMENT OF EDUCATION PRIVATE DAY SCHOOLS FOR STUDENTS WITH DISABILITIES

#### CERTIFICATION OF FINANCIAL COMMITMENT

| Ι,           | The authorized official of   |
|--------------|--|
| belie        | (Name of Institution)  certify, under penalty of perjury, that to the best of my knowledge and ef, the information presented in the attached financial statements is true and correct.   |
| I fu         | ther certify that the owning entity will assure the completion of teaching of students enrolled in the event er the owning entity or the institution incurs financial difficulty or closes.  |
| furn<br>cond | derstand that furnishing false, misleading, or incomplete information to the Board or Department of failure to ish any information requested and failing to maintain financial resources adequate for the satisfactory duct of courses of instruction offered could be grounds for the denial, revocation, or suspension of a ifficate to Operate which may be or has been issued to this institution. |
|              | Date Signature of Authorized Official  |
|              | Printed Name of Authorized Official  |
|              | Title  |
|              | STATEMENT OF NOTARY  |
| 1,           | a Notary Public in and for the (County, City, State, etc.)   |
| of           | (Name of Jurisdiction)  do certify that  |
|              | eared before me in the jurisdiction aforesaid and acknowledged the above requirements. I further certify that commission expires   |
|              |  |
|              | Date Notary Public   |

#### PROVISIONS FOR GUARANTY INSTRUMENT REQUIREMENTS

This packet contains the forms required for certification to license a private day school for students with disabilities in Virginia under Title 22.1, Chapter 16, Section 22.1-319 through 22.1-335 of the Code of Virginia (1950, 1991), as amended, and the Regulations Governing the Operation of Private Day Schools for Students with Disabilities adopted by the Board of Education (2004).

Three types of guaranty instruments are recognized as meeting this requirement:

- 1. Surety bond;
- 2. Irrevocable letter of credit; or
- 3. Certificate of deposit.

The school is free to select which of the permitted methods it will utilize. Regardless of which is chosen, the use of either the actual forms contained in this packet or documents conforming exactly to their language is required for certification.

#### COMMONWEALTH OF VIRGINIA STATE BOARD OF EDUCATION RICHMOND, VA 23218

#### PRIVATE DAY SCHOOL FOR STUDENTS WITH DISABILITIES SURETY BOND

| (Name of Princi   |  | ocated at     |  |  |
|---|--|---------------|--|--|
| as Principal, and   | a corporation/partr  | nership/sole  |  |  |
| (Address of Principal)  |  |               |  |  |
| proprietor in the State of Lawfull  | y doing business in the State of Virginia, as S  | Surety, are   |  |  |
| bound unto the State of Virginia for the benefit and protection  Dollars (\$ ) for which  | n of the students of said Principal, in the pena<br>h sum well and truly to be paid to the State |               |  |  |
| its certain attorneys or assign, said Principal and Suret executors, administrators, successors, and assigns, firm  | • • •  | our heirs,    |  |  |
| THE CONDITION OF THIS OBLIGATION IS SUCH THAT, Whereas, the above bounden Private Day School for Students with Disabilities, as that term is used in Section 22.1-319 of the Code of Virginia (1950), as amended, desires to operate its school at the place set forth above in the manner required by its express contract with its students, known as the student enrollment agreement; and   |  |               |  |  |
| WHEREAS, It is a condition of the grant of a certificate to operate to the Principal by The State Board of Education that the form and contents of the student enrollment agreement and the method of collecting and refunding tuition by the above bounden Principal be and is filed with The Board of Education as provided by the Acts of Assembly 1970, Chapter 16, Title 22.1-321, as amended.   |  |               |  |  |
| NOW, THEREFORE, If upon and after the issuance of a certificate to operate expiring June 30, for a Private Day School for Students with Disabilities pursuant to the aforementioned application, the above bounden Principal shall fully and faithfully observe the express provisions of all student enrollment agreements with its students, and the provisions of all the laws of this State and the rules and regulations promulgated by the State Board of Education, then this obligation shall be void; otherwise, to remain in full force and effect;   |  |               |  |  |
| AND THE Obligors, jointly and severally, for themselves, their heirs, executors, administrators, successors and assigns, do agree with the State of Virginia, for the benefit and protection of the students of said Principal, that upon violation of any contract with any student which, <i>inter alia</i> , may arise as a result of the suspension, revocation, or any other termination of the certificate to operate aforesaid under the provisions of the Acts of Assembly 1970, the State of Virginia may maintain action against this bond for its own benefit or for the benefit of such students. |  |               |  |  |
| PROVIDED, HOWEVER, THE Surety shall not be liable in the aggregate for more than the penal sum of the bond, nor shall the penal sum of the bond be considered cumulative from year to year, and   |  |               |  |  |
| PROVIDED, FURTHER, THE Surety shall have the right to cancel this bond at any time by a written notice, stating when the cancellation shall take effect, and served on or sent by registered mail to The State Board of Education, at least ninety (90) days prior to the date that the cancellation becomes effective, but said Surety so filing said notice shall not be discharged from any liability already accrued under this bond or which shall accrue hereunder before the expiration of said ninety (90) day period.  |  |               |  |  |
| Any person who sustains a material loss covered by this Bond maintain an action against the Principal and Surety on such E resulting from such injuries, or any of them, together with co the court, but the aggregate liability of the Surety shall in no of   | Bond for the recovery of the amount of the nourt costs, including a reasonable attorney's t      | naterial loss |  |  |
| This obligation shall be effective concurrently with the "License to Operate," covering the fiscal year ending June 30,   |  |               |  |  |
| SIGNED, SEALED AND DATED This   | day of   |               |  |  |
| Witness:  |  | (L.S.)        |  |  |
|   | (Principal)  | (L.S.)        |  |  |
| BOND#   | (Suretv)   | (L.S.)        |  |  |
|   | (Attorney-in-fact)   | (L.J.)        |  |  |

## SURETY BOND ACKNOWLEDGEMENT OF PRINCIPAL

#### STATE OF VIRGINIA

|  | of                       | to Wit:                                     |  |  |
|--|--------------------------|---|--|--|
| Ι,   |                          |   |  |  |
| in the State of Virginia, do certify that  |                          | whose name is signed to the                 |  |  |
| above bond, bearing date on the  | day of                   | personally appeared before                  |  |  |
| me in my   | aforesaid, and acknowled | dged the same.                              |  |  |
| I further certify that my term of office expir   | es on the Day            | of,   |  |  |
| Given under my hand this Da  | y of                     | , 20  |  |  |
| AFFIDAVIT AND ACKNOWLEDGEMENT OF SURETY  |                          |   |  |  |
| STATE OF   |                          |   |  |  |
|  |                          | to Wit: I,                                  |  |  |
|  | -                        | and for the                                 |  |  |
|  |                          | personally appeared before                  |  |  |
|  |                          | th that he is                               |  |  |
|  |                          | uthorized to execute the foregoing bond     |  |  |
| by virtue of a certain power of said company, dated, and recorded in the Clerk's office of the of in Deed Book No,   |                          |   |  |  |
|  |                          |   |  |  |
|  |                          | een revoked; that the said company has      |  |  |
|  |                          | of such companies to transact business in   |  |  |
| the State of Virginia that it has a paid-up cash capital of not less that \$250,000; that the paid-up capital, plus the surplus and undivided profits of said company is, that the penalty |                          |   |  |  |
|  |                          | aid sum; that the said company is not by    |  |  |
|  | <b>5</b> .               | of the principal names in said bond, a      |  |  |
| 3 33 3   |                          | al, plus its surplus and undivided profits; |  |  |
| 3  |                          |   |  |  |
| • •  |                          | tly all of its obligations, and the said    |  |  |
| ·  | the name and on behalf   | of the said company, acknowledged the       |  |  |
| foregoing writing as its act and deed.   |                          |   |  |  |
| My term of office expires  |                          | , 20  |  |  |
| Given under my hand this Da  | y of                     | , <u>20</u>                                 |  |  |
|  |                          |   |  |  |
|  |                          | (Notary Public)                             |  |  |

#### IRREVOCABLE LETTER OF CREDIT

|   | Number<br>Date of Issuance        |                               |
|---|-----------------------------------|-------------------------------|
| Superintendent of Public Instruction<br>Virginia Department of Education<br>P. O. Box 2120<br>Richmond, VA 23218-2120 |                                   |                               |
| Dear Sir/Madam:   |                                   |                               |
| We, the   |                                   |                               |
| (Name and address of issuing insitution)  Hereby establish, at the request of   |                                   |                               |
| Our IRREVOCABLE LETTER OF CREDIT, number Department of Education, in the amount of                                    | in favor of the Co<br>dollars (\$ | ommonwealth of Virginia,<br>) |
| This IRREVOCABLE LETTER OF CREDIT is issued as to Operate" a private day school for students with                     | , ,                               | •                             |

to Operate" a private day school for students with disabilities, pursuant to Title 22.1, Chapter 16, Section 22.1-319 through 22.1-335 of the Code of Virginia (1950) as amended.

The IRREVOCABLE LETTER OF CREDIT is valid until midnight June 30, 20, provided however, that

The IRREVOCABLE LETTER OF CREDIT is valid until midnight June 30, 20\_\_\_\_\_, provided, however, that this *Letter of Credit* will be automatically extended without amendment for one (1) year from the present or any future expiration date thereof, unless ninety (90) days prior to any such expiration date we elect not to renew this *Letter of Credit* for such additional one (1) year period. An annual renewal notice will be submitted to you. The notice required hereunder will be deemed to have been given when received by you.

Funds under this *Letter of Credit* are available to you upon presentation to us of your written demand for payment, referring to the number of this *Letter of Credit* and accompanied by your statement that the Department of Education has declared that the security established by the customer as a condition to being granted a "*License to Operate*" has been forfeited.

We hereby agree to honor any and all demands for payment made in compliance with the terms of this *Letter of Credit*, up to the sum stated above. Payment hereunder shall be by our check, payable in U.S. Currency, to the order of the Commonwealth of Virginia, Department of Education, at your address stated above.

We warrant that the issuance of this *Letter of Credit* will not constitute a violation of any statute or regulation which limits the aggregate amount of liabilities which we may incur at any one time from the issuance of letters of credit and acceptances. We agree that by making demand for payment hereunder, neither you, nor the Department of Education, nor the Commonwealth of Virginia makes any warranties to us, either expressed or implied.

This Irrevocable Letter of Credit shall be governed by Virginia law.

COMMONWEALTH OF VIRGINIA DEPARTMENT OF EDUCATIOIN P. O. BOX 2120 RICHMOND, VA 23218-2120

#### **CERTIFICATE OF DEPOSIT**

| KNOW ALL MEN BY THESE PRESENTS, that the undersigned  |   |  |
|---|---|--|
| of  | , as Obligor (private day school for students with disabilities),   |  |
| Is held and firmly bound unto the Co  | mmonwealth of Virginia in the penal sum of  |  |
| Dollars (\$). This obligation as described herein below:  | on is secured by and is to be satisfied out of one or more Certificates of Deposit  |  |
| Certificate Number  |   |  |
| Issuing Bank  |   |  |
| Address   |   |  |
| <u> </u>  |   |  |
|   |   |  |
| Certificate Number  |   |  |
| Issuing Bank  |   |  |
| Address   |   |  |
| _   |   |  |
|   |   |  |
| Certificate Number  |   |  |
| Issuing Bank  |   |  |
| Address   |   |  |
| _   |   |  |
| to the obligor. They are automat institutions are protected by the Feckept in the custody of the Department forfeitable if the conditions of this ob THE CONDITIONS OF THE OBLIGAT day of | above is payable to the "Commonwealth of Virginia", with the interest payable cally renewable at the end of their respective terms. The issuing financial leral Deposit Insurance Corporation (FDIC). The <i>Certificates of Deposit</i> will be at of Education until their release by the Department of Education. They shall be ligation are not met.  ION ARE SUCH, that whereas the above named obligor did on the |  |
| Sections 22.1-319 through 22.1-33 operations in accordance with the co  | of the Code of Virginia (1950), as amended. The obligor will undertake ode of this Commonwealth and the regulations of the Board of Education. The forfeiture pursuant to conditions stated in the code and regulations. The  |  |

Now if the conditions in the code and regulations which allow for forfeiture of the *Certificate of Deposit* do not occur and if the obligor shall faithfully perform all the requirements of Title 22.1, Chapter 16, Sections 22.1-319 through 22.1-335 of the Code of Virginia (1950, 1993), as amended, and shall comply with the <u>Regulations Governing the Operation of Private Day Schools for Students with Disabilities</u> adopted by the Board of Education (2004) and all amendments thereto, then this obligation shall be null and void; otherwise it shall remain in full force and effect. This obligation shall continue until midnight, June 30, 20\_\_\_\_, unless it is renewed between the obligor and the Department of Education or until it is released by the Department of Education. Application for renewal or release of the obligations of this *Certificate of Deposit* must be made to the Department of Education.

Certificate of Deposit will be returned to the obligor, should said application be rejected.

### COMMONWEALTH OF VIRGINIA DEPARTMENT OF EDUCATION

### GUIDELINES FOR SUBMITTING CURRICULUM INFORMATION FOR PRIVATE DAY SCHOOLS FOR STUDENTS WITH DISABILITIES

INSTRUCTIONS: When submitting curriculum information, please include the following to demonstrate compliance with certain requirements of 8 VAC 20-670-110 et. seq. of the <u>Regulations Governing the</u> Operation of Private Day Schools for Students with Disabilities adopted by the Board of Education 2004.

- 1. A statement of educational philosophy.
- 2. A curriculum design that addresses specific content areas for all grade levels and subject matter as well as information pertinent to the disability served.
- 3. A statement regarding materials to be used and necessary adaptations and/or modifications that are to be made.
- 4. A statement of the relationship of the curriculum design to Virginia's Standards of Learning.
- 5. A description of classroom management and discipline procedures.
- 6. A statement describing what has been done to prepare for the new program prior to submitting the request (e.g., visiting other schools, surveying the community needs, etc.).
- 7. Staff qualifications, endorsements, and plans for on-going in-service and coursework for unendorsed instructors.
- 8. A description of how the facility will handle the different disabilities within the current environment if the request is to educate more than one disability or to expand the current certificate to operate.